Neil E. McCullagh (VSB No. 39027) Ronald A. Page, Jr. (VSB No. 71343) Cantor Arkema, P.C. Bank of America Center 1111 East Main Street, 16th Floor Post Office Box 561 Richmond, Virginia 23218-0561 Telephone: (804) 644-1400 Telecopier: (804) 225-8706 Counsel for Moyants

## IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF VIRGINIA Richmond Division

In re: Chapter 11

Greenbrier Hotel Corporation, et al., Case No. 09-31703 (KRH)

Debtors. Jointly Administered

STATEMENT IN SUPPORT OF MOTION OF DEBTORS PURSUANT TO BANKRUPTCY CODE SECTIONS 305(a)(1) AND 1112(b)(1) AND BANKRUPTCY RULES 1017, 2002(a)(4), AND 9006(c)(1) TO (I) DISMISS BANKRUPTCY CASES, AND (II) SHORTEN NOTICE OF HEARING

Thomas and Lisa Crabtree (together, the "Movants"), by counsel, file their Statement in Support of Motion of Debtors Pursuant to Bankruptcy Code Sections

305(a)(1) and 1112(b)(1) and Bankruptcy Rules 1017, 2002(a)(4), and 9006(c)(1) to (I)

Dismiss Bankruptcy Cases, and (II) Shorten Notice of Hearing (Docket #192) (the "Motion to Dismiss"), allege and state as follows:

1. On March 19, 2009, Greenbrier Hotel Corporation and The Greenbrier Resort and Club Management Company (together, the "<u>Debtors</u>") each filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code in the United States Bankruptcy Court for the Eastern District of Virginia, Richmond Division (the "Court").

Case 09-31703-KRH Doc 205 Filed 05/15/09 Entered 05/15/09 10:56:22 Desc Main Document Page 2 of 5

2. On May 8, 2009, the Debtors filed the Motion to Dismiss. The Movants support granting the Motion to Dismiss as the interests of the Debtors and their creditors would be better served by dismissal of the bankruptcy cases.

WHEREFORE, the Movants request that the Court dismiss the Debtors' bankruptcy cases.

Dated: May 15, 2009 Respectfully Submitted,

THOMAS AND LISA CRABTREE

By /s/ Neil E. McCullagh

Counsel

Neil E. McCullagh (VSB No. 39027) Ronald A. Page, Jr. (VSB No. 71343) Cantor Arkema, P.C. Bank of America Center 1111 East Main Street, 16th Floor Post Office Box 561 Richmond, Virginia 23218-0561 Telephone: (804) 644-1400

Telecopier: (804) 225-8706 Counsel for Movants

## **CERTIFICATE OF SERVICE**

I hereby certify that on May 15, 2009, a true and accurate copy of the foregoing was electronically filed with the Clerk of the Bankruptcy Court for the Eastern District of Virginia, Richmond Division, using the CM/ECF system, which caused the above to be served electronically on all registered users of the ECF system that have filed notices of appearance in this matter, and was mailed, by U.S. Mail, first class, postage prepaid, to all persons on the Service List below:

By	/s/ Neil E. McCullagh
	Counsel

## **PRIMARY SERVICE LIST**

Alleghany T-Shirts Attn: Cindy P.O. Box 1219 Fairlea, WV 24902

Allegheny Power P.O. Box 2809 Lewisburg, WV 24901

Beth Daniel Vernon Gif Breed 219 Palm Trail 1751 Pinnacle Drive McLean, VA 22102

Cardiac Science Corporation Attn: Mr. Rob Vaka 3303 Monte Villa Parkway Bothell, WA 98021

Chris Lilly 2520 Danville Road SW Decatur, AL 35603

City of White Sulphur Springs P.O. Box 4632 White Sulphur Springs, WV 24986

Coastal Sunbelt Produce Co. Attn: Mr. Joe Sala 8704 Bollman Place Savage, MD 20763

CSX Corporation Attn: Mr. Frederik Eliasson 500 Water Street, 15<sup>th</sup> Floor Jacksonville, FL 32202 Department of Justice Civil Division Attn: Director Commercial Litigation Branch P.O. Box 875 Ben Franklin Station Washington, D.C. 20007

Department of Treasury Internal Revenue Service 550 Main St. Cincinnati, OH 45202

Donahoe Construction Companies Attn: Mr. Steve Crowder 2101 Wisconsin Ave., NW Washington, DC 20007

First Citizens Bank Attn: Ms. Cindi Weyen Central Bank Operations DAC02 P.O. Box 40 1 E. Main Street White Sulphur Springs, WV 24986

Friesens Book Division Attn: Mr. David Friesen One Printer's Way Altona, MB ROG 080 Canada

Geosyntec Consultants 1108 Third Ave. Ste 600 Huntington, WV 25701

Greenbriar Hotel Corporation et al 300 W Main Street White Sulphur Springs, WV 24986

Growth Enhancer Turf Consultant Attn: Ms. Cynthia Appel P.O. Box 8995 Roanoke, VA 24014 Hunton & Williams LLP Attn: Benjamin C. Ackerly Riverfront Plaza East Tower 951 East Byrd Street Richmond, Virginia 23219-4074

Internal Revenue Service Attn: Ms. Carolyn Kidwell Insolvency Unit 31 Hopkins Plz Rm 1140 Baltimore, MD 21201

Internal Revenue Service State of Virginia Office 400 N. 8<sup>th</sup> St. Room 564 Richmond, Virginia 23240

Janpak Paper Supply Bluefd Attn: Mr. Mike Ferrell Acct No. 48835 P.O. Box 49 Bluefield, WV 24701

Mr. John B. Tudor 21 Kensington Lane Huntington WV 25705

Kent Cartridge America Inc. Attn: Mr. Joe Beard P.O. Box 849 Kearneysville, WV 25430

Kurtzman Carson Consultants Attn: Mr. Evan Gershbein 2335 Alaska Ave. El Segundo, CA 90245

McGuire Woods Attn: Dion Hayes, Esq. and Aaron McCollough, Esq. One James Center 901 E. Cary Street Richmond, VA 23219-4030 Micros Systems, Inc. Attn: Mr. Tom Giannopoulous P.O. Box 23747 Columbia, MD 21046-2289

Mountaineer Gas Company P.O. Box 362 Charleston, WV 25322-0362

Office of the U.S. Attorney For the Eastern District of Virginia 600 E. Main Street Suite 1800 Richmond, VA 23219

St. John Knits Attn: Ms. Linda Rome 17622 Armstong Ave. Irvine, CA 92612

Sysco Food Services of VA, LLC Attn: Mr. Jimmy Huffman P.O. Box 20020 RT 11 South Harrisonburg, VA 22801

Trinity Turf, Inc. Attn: Mr. Kurt Fellenstein P.O. Box 9 Mt. Crawford, VA 22841

PC Attn: Mr. Joseph Guerrieri Jr. and Mr. Jeffrey A. Bartos 1652 Massachusetts Ave. NW, Ste 700 Washington, DC 20036-2243

Guerrieri Edmond Clayman & Bartos

Pension Benefit Guaranty Corporation Attn: Michael Baird, Esq. 1200 K St. NW Office of the Chief Counsel Washington, DC 2005-4026 Venable LLP Attn: Mr. Lawrence A. Katz and Ms. Kristen E. Burgers 8010 Towers Crescent Dr. Suite 300 Vienna, VA